

**CLERK'S SUMMARY AND OFFICIAL MINUTES
NARANJA LAKES
COMMUNITY REDEVELOPMENT AGENCY (CRA)
AUGUST 15, 2005**

The Naranja Lakes Community Redevelopment Agency (CRA) Board met in the South Dade Government Center, Room 203, 10710 S.W. 211 Street, Miami, Florida at 7:00 p.m., August 15, 2005, there being present upon roll call Mr. Daniel Lipe, Mr. Stuart Archer, Ms. Joan Carter, Mr. Kenneth Forbes, Mr. Parsuram Ramkisson, and Chairperson Nina Betancourt, (Mr. Rene Infante was absent); Mr. Jurgen Teintze, Tax Increment Financing (TIF) Coordinator, Office of Strategic Business Management, Assistant County Attorney Glenn Saks, Mr. Steven Zelkowitz, Legal Counsel for the CRA and Deputy Clerk Jill Thornton.

I. Call to Order

Chairperson Betancourt called the CRA Board meeting to order at 7:20 p.m.

II. Roll Call

Upon roll call, and a quorum being present, the Board proceeded to consider tonight's agenda.

III. Approval of the Minutes

It was moved by Mr. Archer that the minutes of the July 18, 2005 meeting be approved. This motion was seconded by Mr. Forbes.

Mr. Archer noted a scrivener's error existing on page 4, paragraph 4 of the minutes of the July 18, 2005 meeting.

Hearing no further comments, the Board proceeded to vote on the foregoing motion with an amendment to correct a scrivener's error on page 4, paragraph 4 of the minutes to read "Mr. Archer" instead of "Mr. Stuart." Upon being put to a vote, the motion passed unanimously by those members present.

It was moved by Mr. Archer that the minutes of the June 27, 2005 meeting be approved. This motion was seconded by Mr. Lipe, and upon being put to a vote, passed unanimously by those members present.

IV. Approval of the Agenda

It was moved by Mr. Forbes that tonight's agenda be approved. This motion was seconded by Ms. Carter.

It was noted by both Mr. Archer and Mr. Forbes that tonight's agenda did not include items for the U.S. Postal Service presentation and the police security presentation by Major O'Donnell.

Mr. Forbes asked that both presentations be heard under Item V, "Open Forum for Public Comments."

Mr. Ramkissooon suggested that public comments be heard at the end of the agenda after all presentations had been made.

Following discussion, the foregoing motion was amended to include presentations by U.S. Postal Service representatives and Major O' Donnell as items under "Open Forum for Public Comments," and upon being put to a vote, the motion passed unanimously by those members present.

V. Open Forum for Public Comments

a) Police Security Update

Major Grace O'Donnell, Miami-Dade Police Department, Cutler Ridge District, provided an update on police activities occurring within the NLCRA District. She noted a narcotics investigation was conducted in the Modella area that resulted in several search/arrest warrants, seizure of drugs and over 15 arrests, and that Naranja would be the next area to be investigated for narcotics. She also noted several felony and misdemeanor arrests were made after a Hotspot Squad was implemented to target burglaries in the Modello community which resulted in a significant decrease in residential burglaries and robberies in the Naranja area.

Ms. O'Donnell informed the Board that the Community Oriented Policing & Problem Solving (COPPS) Unit was working closely with other community groups to host a holiday event at the Naranja Community Park on December 10, 2005 in hopes to bring the Naranja community closer together and that the police department along with other neighboring businesses and community leaders would be participating in several activities at this event. She invited the CRA Board members to participate in the planning committee meeting scheduled for August 22, 2005, 10:00 a.m., at 20510 SW 122 Court (Coleman residence).

b) U.S. Postal Service Update

Mr. Jurgen Teintze updated the Board on the status of mail delivery for Mandarin Lakes. He noted he consulted with Department of Public Works and Zoning and confirmed that Miami-Dade County's code had no zoning regulations concerning restrictions or guidelines for the placement of gang mailbox units. He further noted that County Staff had no advice to offer except to recommend that the mail delivery plan be a best-practice comparative with Public Works and the developer and that it follow the Federal Post Office guidelines. He encouraged working out a compromised solution.

Mr. Paul Herman, D.R. Horton Builders, explained the criteria for mail box locations and delivery in Mandarin Lakes and distributed a Mandarin Lakes site plan, Phase I & II, to each Board member. He noted that after meeting with Post Office representatives, the Post Office conceded to deliver mail to single-post, dual mailboxes for all 50-foot Single family homes and to two centralized locations for the remaining 759 units (40-foot Single Family homes and town

homes). He stated the proposed plan had been to centralize mail delivery for the remaining 759 units at the CRA Civic Center and at DR Horton's Recreation Square; however, the Post Office required that certain criteria be met for placement of the mail centers and he could not work out another alternative to accommodate the Post Office.

Mr. Ruben Abella, Miami Growth Coordinator, U.S Post Office, stated centralized mail delivery was used by most major cities today in new community development and that the location of Post Offices needed to be consistent across the board concerning guidelines for centralized delivery and gang mailboxes.

Responding to a question by Chairwoman Betancourt, Mr. Abella noted federal regulations allowed him to consult with Unincorporated Municipal Area's (UMSA)'s on mail delivery service.

Mr. Forbes clarified that Postal Service representatives were not present during the Impact Developmental Committee Meetings conducted by Miami-Dade County.

Mr. Archer stated the issue with the proposed plan was that it required locating gang mailboxes on CRA property which would be inconsistent with the Traditional Neighborhood Development (TND) concept and could cause a potential problem with traffic congestion due to insufficient parking spaces in these areas.

Mr. Herman stated that at the time he met with Post Office representatives to discuss the proposed plan, the recreation areas were owned by both the CRA and DR Horton Builders. He noted the choices were limited for locations of centralized mailbox centers because the Post Office required the centers to be covered, lighted, handicapped accessible and include a parking space for the mail deliverer.

Mr. Muhammed Hasan, Public Works Department, noted the concern of the Public Works Department was that a reasonable number of parking spaces be provided at the centralized mailbox locations to prevent impeding traffic flow or parking on neighboring lawns and that locations be within reasonable walking distance. He stated that if sufficient infrastructure was not provided, problems would arise that would have to be resolved by the Public Works Department.

Mr. Joe Goudie, D.R. Horton Builders, noted the Code did not include any requirements for parking near gang mailbox centers and only one parking space was needed for the mail carrier. He stated the proposed plan for gang mail box locations would conform to the TND concept.

Mr. Zelkowitz, Legal Counsel for CRA, advised that the CRA could grant the homeowner's association an easement to construct and maintain the post office boxes on the CRA's property, however, the property donated to the CRA for public purposes would now be allocated for private use.

Mr. Archer suggested the developer look at the green areas located within the property's quadrants to possibly increase the number of locations for gang mailbox centers. He stated he did not think that placing them on the CRA property would be the solution.

Mr. Herman noted there was no designated parking located within the green areas and some were located directly in front of residential units, which presented a problem with lighting from the mailbox centers. He further noted that if parking were added, then the developer would have to re-plat the property.

Chairwoman Betancourt stated the only way to accomplish the purpose of the TND concept and remain pedestrian friendly would be to add more locations in the quadrants.

It was moved by Mr. Forbes that the Developer and the US Postal Service representatives schedule another meeting to discuss the possibility of using some of the CRA's property and that it be brought back before the Board for review and approval.

Ms. Suzette Rice, County Mayor's Office, pointed out that when considering locations for the mailbox centers, the Board should keep in mind that the area needed to be ADA accessible and that five or six blocks was not accessible for wheelchair bound individuals.

Mr. Zelkowitz suggested the plat be reviewed to determine whether re-platting would be necessary, noting it may be possible to modify the site plan which could be done simultaneously with construction.

Mr. Herman suggested a solution might be to negotiate a plan with the Post Office to place all 759 mailboxes on D.R. Horton's property.

Mr. Abella stated he would review any proposals submitted by the developer and offer his advice.

Mr. Archer noted that since the Post Office had already conceded to make 60 stops (58 stops to the 50' SF homes and two stops to the two centralized locations) in the proposed plan, the developer should be able to work out another plan that provides additional centralized mail centers of smaller units.

Mr. Goudy stated the developers would develop an alternative plan and submit it for approval at a subsequent meeting.

Mr. Hasan noted for the record that Public Works had jurisdiction over the infrastructure development and requested that any proposed plan be safe and ADA compliant.

c) New Area Developments

Mr. Luis Rojas, attorney 2521 Ponce De Leon Blvd, gave an overview of the Card Sound Condominium Project. He noted the County's professional staff reviewed the proposed project and recommended its approval. He further noted that this proposal met all the components of the CDMP and would be forwarded to the Community Counsel for a hearing in September. He also noted the developers believed this project was consistent with the CRA's objectives for redeveloping blighted areas.

Ms. Gloria Hernandez, Marketing and Sales Representative, presented a slide presentation on the Card Sound Condominium Project. She noted the project included four two-story units to be located within proximity of the Nascar Speedway and the Everglades National Park. She further noted that the development team determined the property was best suited for condominium conversion which targeted second home buyers. The project would be a vacation site or a home away from home for those who frequented attractions and it would allow middle income people to experience second home ownership in an exciting and growing economy that would preserve their investment. The architectural structures of the buildings, she noted, would be preserved in keeping with the Key Largo design, but the façade would be changed to create a tropical resort environment. She asked for the support of the CRA Board in making this project successful and welcomed their participation at the Community Council (CC) meeting to be held on September 13, 2005 in the South Dade Government Center at 7:00 pm.

Responding to questions by Mr. Archer and Mr. Lipe, Ms. Hernandez noted the project was approved for 105 units that ranged in price from \$55,000 to \$140,000 per unit.

In Response to concerns raised by Mr. Ramkisoorn, Ms. Hernandez noted the prospective buyers were considering the property as a home away from home and had expressed a desire to be a part of the Naranja community. She stated this concept was prevalent in many other thriving communities and the location of the subject property was most suitable for this type of development.

Chairwoman Betancourt noted the forgoing property was currently zoned for commercial and the proposed residential development would impact future commercial development

Ms. Hernandez noted the potential for business (commercial) development would remain provided the property was not re-zoned for residential but rezoned as an exception to the BU-2 zoning on the property, as requested by the applicant.

Chairwoman Betancourt suggested that the community might have welcomed a nice hotel instead and that from a financial standpoint, the best use of this property might not have been a condominium conversion.

Mr. Rojas reminded the Board members that the applicants were proposing to develop on property located within a blighted area, which would benefit everyone. He suggested this application be embraced by the County Administration and the CRA Board.

d) Other US 1 Corridor Plans

Not presented

e) Developer/Builder Comments and Update

Mr. Eric Valderama, Naranja Lakes Construction (NLC), LLC, discussed the development agreement created in 1996 by Miami-Dade County to revitalize the Naranja Lakes area, which he noted included a detailed scope of work, a budgeted design of construction projects, milestones

and a distributed schedule of values for the disbursement funds of \$5 million increment for each phase. He noted the cost of work was established and validated through a bid process at today's market values and NLC bided on it and executed a guaranteed maximum price (GMP). As part of the agreement, he noted, NLC took on an additional responsibility to perform needed road improvements in order to provide access into the community, however, during the course of construction, NLC encountered several unforeseen problems including underground utility conflicts not identified in the design documents and an additional scope of work that was added by the County without increasing the contract amount.

Mr. Valderama noted the development agreement was amended in 2005 to reflect a more current schedule of values but the overall contract sum was not changed in that amendment. He stated NLC was able to maintain the contract sum, in part, because it absorbed the costs of certain items, reduced its manager's fee by 27%, and depleted its construction contingency reserve to offset the higher construction cost. He further noted that escalation indexes were used to project future costs of projects but even the standard indexes could not have predicted the shortage of construction materials that occurred over the last few years.

Mr. Valderama stated NLC understood its responsibility to the CRA and the County to perform work described in the construction document and to be responsible for all foreseeable risks and hazards. He noted, however, the unforeseen conditions were not anticipated. He stated that considering the fact that the budget estimate used in the development agreement was set in 1996, NLC management would respectfully request that the CRA Board review and support the request to increase the GMP contract for all change orders formerly submitted to the CRA. He also asked that the Board support the proposal to re-instate the construction contingency reserves and require that subsequent bid awards include an escalation index.

Mr. Ray Castellanos, Naranja Lakes Construction LLC, stated NLC had gone beyond its projections and expectations for absorbing costs and that further action was needed. He noted growth was initially projected at 3% per year but actually increased by 43% cumulatively in years 2002 through 2004 and another 17% in year 2005. He respectfully requested that the CRA Board consider the projections and support the additional costs for work outside the scope and other unforeseen changes.

Discussion ensued among the Board members and the builders regarding the negotiated contract between NLC and the CRA.

Chairwoman Betancourt suggested the developers provide the CRA with a list of unforeseen changes that were outside the scope of the contract for review by members of the County Administration and Mr. Zelkowitz.

Mr. Forbes spoke in support of reimbursing NLC, noting the developer partnered with the CRA and had negotiated in good faith.

Chairwoman Betancourt suggested NLC provide CRA members with more information regarding change orders for further evaluation. She also suggested that accountability of information flow between County Agencies and the builder be addressed.

Following further discussion, it was moved by Mr. Forbes that the NLC prepare for the CRA's review, a schedule of costs incurred for unforeseen circumstances and work performed beyond the scope. This motion was seconded by Chairwoman Betancourt, and upon being put to a vote, the motion passed unanimously by those members present.

Mr. Zelkowitz requested clarification on the schedule of costs, and inquired whether it would include other change orders going forward.

Mr. Valderama noted he could not predict unforeseen circumstances in the future phases but noted construction standards usually required a construction contingency reserve and it should be re-instated in the contract amount.

Mr. Ramkissoo spoke in support of reimbursing NLC, but noted future costs of unforeseen circumstances and change orders should be limited to underground construction.

Chairwoman Betancourt stated the Board would be in a better position to address these issues once the builders provided more concrete information.

Responding to a request made by Mr. Valderama to schedule a special meeting in two weeks to address these issues, Mr. Forbes suggested the Board schedule a special meeting if the developers submitted the information quickly.

VI. New Business

a) Re-appointment of attorney with new law firm

It was moved by Mr. Forbes that the Board retain the law firm of Gray/Robinson inasmuch as Mr. Steven Zelkowitz, Legal Counsel for the NLCRA, had joined that firm. The motion was seconded by Mr. Lipe, and upon being put to a vote, passed unanimously by those members present.

b) Board Activity Report for NLCRA Board

Mr. Jurgen Teintze, TIF Coordinator, OSBM, presented the CRA Board members with a package entitled "Sunset Review of County Boards 2005." He noted all Boards created by the Board of County Commissioners (BCC) were required to submit information requested in the package, including a questionnaire that needed to be approved by the CRA.

It was moved by Mr. Forbes that the CRA Board approve the Miami-Dade County Boards 2005 Sunset Review Package and Questionnaire, as presented. This motion was seconded by Mr. Archer and upon being put to a vote, passed by a vote of 6-0. (Mr. Rene Infante was absent).

c) Budget Workshop Presentation and Discussion

Mr. Teintze stated he met with the CRA budget committee to discuss the proposed budget for FY2005-06. He advised that revenues were projected to be approximately \$775,000 and that certain fixed costs were assumed to remain the same as last year. Revenue Carryovers, he noted, were projected at \$435,000 for the end of this year. He also noted the committee members suggested the debt service on the new loan be conservative with a 12 year repayment schedule and a fixed rate.

Mr. Teintze noted it was suggested at the budget committee that the CRA be a little more aggressive with carryover revenues and use \$230,000 for new projects as follows: \$75,000 for Security Studies; \$30,000 for a feasible study to improve aesthetics of the US 1 Corridor and implement an economic development plan; \$20,000 for other studies to be determined; \$45,000 for a Redevelopment Grant program for residential improvement of less fortunate neighbors, and \$60,000 for a Redevelopment Grant program for commercial property improvements. The committee, he noted, agreed there was insufficient information to consider prioritizing funds to purchase shade trees and canopy for the Naranja Lakes Park or to assist the South Dade Skills Center-Technical School.

In response to Mr. Archer's inquiry of what the CRA could expect from the new county support staff person at a \$65,000 salary and 86 hours per month, Mr. Teintze noted it was projected that the budget analyst would dedicate 50% of his/her time to the CRA to organize studies, write grant programs, develop a web site and produce better reports. He noted he was awaiting approval on the reclassification of this position and an existing proposal providing for three new positions in order to staff a team to oversee all CRA's established by the BCC.

Mr. Lipe stated this year was expected to be more active than previous years and would require more of the County's time to manage these projects, if they were approved.

In response to Ms. Carter's question, Mr. Teintze noted assistance to South Dade Skills Center-Technical School was not discussed as a priority because it had not been identified as a special need facility that supported the re-development or capital improvements of Naranja and that it needed to be better defined.

Following further discussion, it was moved by Mr. Archer that the CRA Board accept the proposed budget (draft) as presented. This motion was seconded by Mr. Forbes for discussion.

Discussion ensued among Board members and staff regarding changes in the worksheet for contractual services.

Following the discussion, the Board proceeded to vote on the foregoing motion, and upon being put to a vote, the motion passed unanimously by those members present.

VII. Old Business

Mr. Archer expressed concern that there were no sidewalks or pedestrian walkways along SW 140th Avenue to accommodate children walking to Chapman Elementary School from the Waterside or Sea Pines area, which presented a potential safety hazard.

Mr. Ritsema, Project Coordinator, noted 140th Avenue was currently under construction, and it was not under the jurisdiction of "Safe Routes to Schools" program. The plans, he noted, called for the existing sidewalks to remain, however, change orders were submitted by the developer to construct new sidewalks because the existing sidewalks were damaged during construction and grades of adjacent sidewalks were inappropriate.

Mr. Archer stated this was a potential problem that the Board needed to address in order to ensure the safety of the kids.

Mr. Ritsema advised the Board that the contractor promised the developer that he would provide a temporary safe route for the children to use.

Following discussion, Chairwoman Betancourt announced that tonight's meeting would be the last CRA Board meeting that Ms. Joan Carter would attend since she announced her resignation from this Board. Chairwoman Betancourt, on behalf of the Board, thanked Ms. Carter for her time and dedicated services to the CRA.

Responding to a request for updates on Board member replacements, Mr. Shawn McCrackine, Aide to Miami-Dade County Commissioner Katy Sorenson, noted Commissioners Sorenson and Moss had expressed an interest in seeing the membership pool increased.

Mr. Teintze noted Mr. Moe Hakssa was still interested in serving on the Board. He stated that members of the County Administration had commended Ms. Carter for her participation and acknowledged that she would be difficult to replace.

V. Open Forum for Public Comments

Chairperson Betancourt opened the floor for public input. Hearing no one wishing to come forward to give input, the public hearing was closed.

VIII. Setting of Next Meeting Date

Chairwoman Betancourt announced that the next CRA Board meeting would be held on September 19, 2005.

IX. Adjournment

There being no further business to come before the Board, by motion duly made, seconded and carried, the Naranja Lakes Community Redevelopment Agency meeting was adjourned at 10:03 p.m.

Nina Betancourt, Chairperson
Naranja Lakes Community Redevelopment Agency